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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri Jagdish Bhalla, Ag. C.J.

Writ Petition No. 3094 of 1995

Applicant

1. Parbatia widow of Balram, aged about 51 years, resident of village Chittarpur, Tehsil Lundra, District, Sarguja, MP
2. Bholaram S/o Shri Dayaram
3. Chandrabhan S/o Shri Balram

Petitioners No.2 and 3 are residents of village Ravai, Tahsil Lundra (Dhaurpur Distt. Sarguja, MP.)

versus

Respondents

1. Shri Hiran S/o Shri Lalua
2. Shri Kabalsai S/o Shri Lalua
3. Shri Budhram S/o Shri Lalua

Residents of village Chalgali, Tahsil Lundra Distt. Sarguja, MP

4. The Collector, Sarguja (MP)
5. The Sub Divisional Officer, Abmikapur, MP
6. The Commissioner, Bilaspur Division, Bilaspur, MP.

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

Present : None appears for the petitioner.
Shri Satish Gupta Dy. GA for respondents 4, 5 and 6.

ORAL ORDER

(Passed on 26th June, 2007)

The petitioners had purchased a land from a man belonging to tribal community without obtaining mandatory permission from the Collector. They also failed to furnish the relevant information to the authorities about such transaction. Therefore, the Sub Divisional Officer cancelled the transaction and directed the petitioners to hand over the property back to the man belonging to the tribal community. Aggrieved by the said order of the Sub Divisional Officer, the petitioners filed an appeal before the Collector which was rejected by the Collector by a reasoned order. Against the order of the Collector, the petitioners filed a revision before the Divisional Commissioner

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which was also dismissed by the Commissioner. Against the order passed by the Commissioner this petition has been filed.

Since the petitioners failed to comply with the mandatory provisions of taking permission and furnishing relevant information to the Collector, this Court is of the opinion that this petition has no merit. Moreover, the affidavit in support of the petition has also not been sworn in accordance with law as except paragraph 1 of the petition, no other paragraph has been verified by the petitioner.

Accordingly, the petition being without merit is liable to dismissed and it is hereby dismissed.

Sd/-
Acting Chief Justice

J/o